

Article - Environment

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§15-519.

(a) If the Department finds that the probable total annual production at all locations of a surface coal mining operator will not exceed 300,000 tons, the cost of the following activities, which shall be performed by a qualified public or private laboratory or such other public or private qualified entity designated by the Department, shall be assumed by the Department upon written request of the operator in connection with a permit application:

(1) The determination of probable hydrologic consequences required by § 15-505(c)(4) of this subtitle, including engineering analyses and designs necessary for the determination;

(2) The development of cross-section maps and plans required by § 15-505(c)(7) of this subtitle;

(3) The geologic drilling and statement of results of test borings and core samplings required by § 15-505(c)(3) of this subtitle;

(4) The collection of any archaeological and historical information required by the Department and the preparation of plans necessitated thereby;

(5) Preblast surveys required by the Department; and

(6) The collection of site-specific resource information and production of protection and enhancement plans for fish and wildlife habitats and other environmental values required by the Department under this subtitle.

(b) The Department shall provide or assume the cost of training coal operators that meet the qualifications in subsection (a) of this section concerning the preparation of permit applications and compliance with the Maryland Surface Mining Control Program, and shall ensure that qualified coal operators are aware of the assistance available under this section.

(c) A coal operator that receives assistance pursuant to this section shall reimburse the Department for the cost of the services rendered if the Department finds that the operator's actual and attributed annual production of coal for all locations exceeds 300,000 tons during the 12 months immediately following the date on which the operator is issued the surface coal mining and reclamation permit.

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